

**RECEIVED
CENTRAL FAX CENTER****MAY 29 2007**

FACSIMILE TRANSMISSION

DATE: MAY 29, 2007**PAGE 1 OF: 22****TO: USPTO****FACSIMILE No.: (571) 273-8300****FROM: DAVID W. OSBORNE****TRANSMITTED BY: JUDY ANDERSON****OUR DOCKET No.: 01235-22619.CIP (FORMERLY 22619.CIP)****FOR: PHARMACEUTICAL FORMULATIONS & SYSTEMS FOR IMPROVED
ABSORPTION & MULTISTAGE RELEASE OF ACTIVE AGENT****SUBJECT: AMENDMENT & RESPONSE UNDER 37 C.F.R. § 1.111 and SUBSTANCE OF THE
INTERVIEW UNDER 1.133(B)**

**Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450****Dear Sir/Madam:**

**Attached please find an Amendment and Response under 37 C.F.R. §1.111 and
Substance of the Interview Under 1.333(b) for Docket No. 01235-22619.CIP (formerly
22619.CIP), Application No. 10/074,687.**

Thank you. We await your confirmation of receipt.

Respectfully submitted,

**David W. Osborne
THORPE NORTH & WESTERN, LLP
Customer No. 20,551
Reg. No. 44,989**

The pages that follow may contain sensitive, privileged or confidential information intended solely for the addressee named above. If you receive this message and are not the agent or employee of the addressee, and have therefore been sent or received this communication in error, you are asked not to disseminate or copy any of the attached and are to notify the sender immediately by telephone. Please also return the original message to the sender by mail. Thank you.

www.tnw.com

8160 South 700 East • Suite 200 • Sandy, Utah 84070-0562 • 801.566.6633 • f. 801.568.0750 • patlaw@tnw.com U.S. Mailing Address: P.O. Box 1219 • Sandy, Utah 84091-1219

The Team Approach to Premier Performance™

MAY 29 2007

PTO/SB/21 (04-07)

Approved for use through 09/30/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(To be used for all correspondence after initial filing)

Total Number of Pages in This Submission

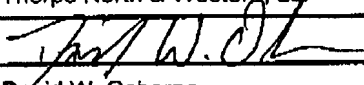
22

Application Number	10/074,687
Filing Date	2/11/2002
First Named Inventor	CHEN; VENKATESHWARAN; KRILL; PATEL
Art Unit	1815
Examiner Name	Lakshmi Channavajjala
Attorney Docket Number	01235-22619.CIP

ENCLOSURES (Check all that apply)


<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Thorpe North & Western, LLP		
Signature			
Printed name	David W. Osborne		
Date	5/29/2007	Reg. No.	44989

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Judy Anderson	Date	5/29/2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

New Docket No. 01235-22619.CIP; Old Docket No. 22619.CIP
Serial No. 10/074,687

1

RECEIVED
CENTRAL FAX CENTER

MAY 29 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	Feng-Jing Chen, et al.	CERTIFICATE OF DEPOSIT UNDER 37 C.F.R. § 1.8
SERIAL NO.:	10/074,687	I hereby certify that this correspondence is being transmitted via facsimile to the United States Patent and Trademark Office, under 37 C.F.R. § 1.8 on the date indicated below to 571-273- 8300.
FILING DATE:	2/11/2002	<i>Judy Anderson</i> Judy Anderson
FOR:	PHARMACEUTICAL FORMULATIONS AND SYSTEMS FOR IMPROVED ABSORPTION AND MULTISTAGE RELEASE OF ACTIVE AGENTS	<u>5/29/2007</u> Date of Deposit
ART UNIT:	1615	
EXAMINER:	Lakshmi Channavajjala	
DOCKET NO.:	22619.CIP	

THORPE NORTH & WESTERN, LLP
8180 South 700 East, Suite 350
Sandy, Utah 84070

AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.111
SUBSTANCE OF THE INTERVIEW UNDER 1.133(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the communication mailed February 27, 2007, please enter the
amendments and reconsider this application in view of the remarks provided below.

New Docket No. 01235-22619.CIP; Old Docket No. 22619.CIP
Serial No. 10/074,687

2

INTERVIEW SUMMARY

An in person interview was held between Applicant's representative and the Examiner on April 26, 2007. During the interview claims 146-233 were discussed. Specifically, the possibility of amending claims 146 and 193 to include a limitation that the first and second fractions are segregated was discussed. Support for such an amendment was also shown and discussed.